

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

ANDRE MYERS,

Petitioner,

v.

PATRICK HURLEY, Warden,

Respondent.

Case No. 2:04-cv-1096

JUDGE GRAHAM

Magistrate Judge ABEL

ORDER

On July 20, 2005, the Magistrate Judge issued a *Report and Recommendation* recommending that the petition for a writ of habeas corpus pursuant to 28 U.S.C. §2254 be dismissed. Although the parties were specifically informed of their right to object to the *Report and Recommendation*, and of the consequences of their failure to do so, there has nevertheless been no objection to the *Report and Recommendation*.

The *Report and Recommendation* is hereby **ADOPTED AND AFFIRMED**. The petition for a writ of habeas corpus pursuant to 28 U.S.C. §2254 is **DENIED** and this case is **DISMISSED**.

s/James L. Graham
JAMES L. GRAHAM
United States District Judge

DATE: August 17, 2005